

## CLAIMS

### WHAT IS CLAIMED:

1. AAV DNA having helper virus sequences which are necessary for developing AAV  
5 viral particles.
2. The AAV DNA according to claim 1, wherein the helper virus sequences originate from herpesvirus.
- 10 3. The AAV DNA according to claim 1, wherein the helper virus sequences originate from adenovirus.
4. The AAV DNA according to claim 3, wherein the adenovirus is adenovirus 5.
- 15 5. The AAV DNA according to claim 1, wherein the AAV DNA was deposited under DSM 11248.
6. The AAV DNA according to claim 1, wherein the AAV DNA was deposited under DSM 11817.
- 20 7. System comprising an AAV DNA according to claim 1, and rAAV vector and optionally a cell.
8. Use of the AAV DNA according to claim 1 and the system according to claim 7 for  
25 the production of an rAAV viral particle preparation which is not contaminated with helper viruses.

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**Claims as Amended during the Chapter II Procedure**

1. AAV DNA having helper virus sequences which are necessary for developing AAV viral particles, wherein the AAV DNA was deposited under DSM 11248 on October 18, 1996.  
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2. The AAV DNA according to claim 1, wherein the AAV DNA comprises a deletion in the structural gene L1 of the adenovirus 5 sequence.
- 10 3. The AAV DNA according to claim 2, wherein the AAV DNA was deposited under DSM 11817 on October 15, 1997.
4. A system comprising an AAV DNA according to any one of claims 1 to 3, an rAAV vector and optionally a cell.  
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5. Use of an AAV DNA having helper virus sequences which are necessary for developing AAV viral particles, for the production of an rAAV viral particle preparation which is not contaminated with helper viruses.
- 20 6. Use of a system comprising an AAV DNA having helper virus sequences, which are necessary for developing AAV viral particles, an rAAV vector and optionally a cell, for the production of an rAAV viral particle preparation which is not contaminated with helper viruses.
- 25 7. Use according to claim 5 or 6, wherein the helper virus sequences originate from herpesvirus.
8. Use according to claim 5 or 6, wherein the helper virus sequences originate from adenovirus.
- 30 9. Use according to claim 8, wherein the adenovirus is adenovirus 5.

10. Use according to any one of claims 6, 8 or 9, wherein the AAV DNA was deposited under DSM 11248 on October 18, 1996.
11. Use according to claim 10, wherein the AAV DNA comprises a deletion in the structural gene L1 of the adenovirus 5 sequence.
12. Use according to claim 11, wherein the AAV DNA was deposited under DSM 11817 on October 15, 1997.

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